

Skadden

# Pro Bono Report

THE IMPACT PROJECT | IN THE SPOTLIGHT: LOS ANGELES | "WHAT I'M WORKING ON"



# Pro Bono

## Contents

### 2 DEEP IMPACT

A conversation with his daughter about the shortage of *pro bono* legal aid for civil matters led partner **Fred Goldberg, Jr.** to co-found the Impact Project, a public-service partnership that serves low-income Washington, D.C. families.

### 4 WHAT I'M WORKING ON

Skadden attorneys handle an extraordinarily diverse array of *pro bono* matters. We spoke to seven partners and counsel about their current projects.

### 12 SKADDEN EXTERN

Since 1998, Skadden's New York office has partnered in externship programs with the Lawyers Alliance for New York and the Legal Aid Society's Community Law Office. In this Q&A, 2012 extern **Julie Lanz** discusses her six months at Legal Aid.

### 13 AFTER THE STORM

Hurricane Sandy left many of New York City's legal nonprofits temporarily homeless — until Skadden stepped in. In fall 2012, Skadden's 1460 Broadway office served as a central hub of New York's nonprofit legal community.

### 14 IN THE SPOTLIGHT: LOS ANGELES

This issue's Spotlight takes us to our Los Angeles office, where recent *pro bono* matters have included successfully defending a group of prominent anti-nuclear protesters against trespassing charges and helping to reunite an asylum client with her 7-year-old daughter.

### 17 NEWS & AWARDS

### 22 SKADDEN FELLOW



At Skadden, our commitment to *pro bono* work extends throughout the firm. Together, our attorneys and staff have averaged more than 200,000 hours per year on *pro bono* matters over the last five years — a level of commitment that speaks to the importance we place on *pro bono* work.

This issue of the *Pro Bono Report* highlights just a few examples of those efforts. In Washington, D.C., our lawyers are teaming up with nonprofit legal services providers and in-house corporate counsel to provide *pro bono* services to families throughout the region. The Impact Project, as the initiative is known, is being widely praised as an innovative and efficient new way to provide legal aid to the under-served. Our Los Angeles attorneys, the subject of this issue's "Spotlight," have secured important victories for numerous *pro bono* clients, ranging from a group of anti-nuclear protesters to Planned Parenthood. We also spoke with several partners and counsel regarding their ongoing and recent *pro bono* work. As these profiles demonstrate, when a partner or counsel agrees to lead a new matter, it often provides *pro bono* opportunities for attorneys throughout the firm.

Of course, the stories in this issue comprise only a small sample of our recent efforts. Our *pro bono* contributions would not be possible without the dedication of attorneys and staff throughout the firm. As always, we hope you enjoy this update, and we welcome your feedback.

Regards,

Eric Friedman

Over the last five years, Skadden's lawyers, summer associates and legal assistants dedicated **more than one million hours to *pro bono* service — 1,062,408, to be exact.** To put this commitment to public service in perspective, that's the number of hours it would take to:

Fly to the moon  **13,979** times

Erect **52** Eiffel Towers 

Build **35,000** cars 

Race **510,577** N.Y.C. marathons 



## New *Pro Bono* Project Brings Critical Mass to Washington, D.C.

A conversation last year between Tax Group co-head **Fred Goldberg, Jr.**, and his daughter, a public interest attorney, has led to a partnership between Skadden, legal aid groups and in-house corporate counsel to provide *pro bono* services to low-income families throughout the Washington, D.C. area.

Launched in September 2012, the Impact Project focuses on the three areas in which Skadden's D.C. attorneys believed they could make the greatest impact — guardianship, housing and domestic violence issues. The initiative seeks to use the participating organizations' combined strengths to achieve a "critical *pro bono* mass" and has already taken on matters affecting more than 100 individuals.

"We don't want to reinvent the wheel or replace the great public interest work already being performed," says former partner Cliff Sloan, who served as a co-head of the project (and is currently a special envoy to Guantanamo Bay). "It's really about having a major impact on big problems and, in the process, making the *pro bono* experience more efficient and enjoyable."

### A Civil *Gideon*

Fred's conversation with his daughter, Rachel, an attorney with the Center for Appellate Litigation in New York, centered on the lack of a civil equivalent of *Gideon v. Wainwright*, the 1963 U.S. Supreme Court case that requires states to provide counsel to criminal defendants who cannot afford attorneys. Their discussion inspired Fred to approach Cliff and fellow D.C. partners **Mike Naeve**, **Greg Craig** and **Chuck Walker** with the idea of focusing resources on specific areas of legal need.

"Although many in private practice are committed to *pro bono* service, there's still this feeling that we're 'bowling alone' rather than working together on a broader scale," says Fred.

The five partners formed a working group with D.C. *pro bono* counsel **Don Salzman** and associates **Warren Allen** and **Stephanie Selmer**. The group discussed the project's potential focus on children and families and agreed that "critical mass" required office-wide input. Mike, who leads the D.C. office, scheduled an all-attorney meeting to discuss the initiative. At that meeting, Don enlisted volunteers to research legal service organizations to identify possible partners. "That collaborative effort has been essential from day one," says Fred.

The results of the research were announced at a second office-wide meeting in June 2012. The Legal Aid Society of D.C. was selected as a partner in domestic violence matters, the Children's Law Center for guardianship issues and Bread for the City for housing cases. Each of the three areas is a virtual practice group, co-chaired by a partner-counsel-senior associate team, with its own training programs, website and periodic lunches.

Cliff worked to identify corporate partners to join the project, then secured the participation of Cisco Systems, LivingSocial and Northrop Grumman. "Although there's a strong desire by in-house lawyers to do *pro bono* work, they face some unique obstacles," says Cliff. "For example, preparing for a *pro bono* court appearance can be more stressful for an in-house attorney, who must juggle work emergencies with less support. That's just one way working together with a firm can help."

The Impact Project also helps in-house attorneys overcome a lack of sufficient training, which is another obstacle unique to corporate counsel's efforts to take on *pro bono* work. In addition to training programs, each of the project's three teams holds regular meetings to discuss ongoing issues.

#### AT A GLANCE

#### WORKING GROUP

<b>Greg Craig</b> (P)	<b>Chuck Walker</b> (P)
<b>Fred Goldberg Jr.</b> (P)	<b>Don Salzman</b> (C)
<b>Mike Naeve</b> (P)	<b>Warren Allen</b> (A)
<b>Cliff Sloan</b> (P)	<b>Stephanie Selmer</b> (A)

#### TEAM LEADERS

DOMESTIC VIOLENCE	GUARDIANSHIP	HOUSING
<b>Sharis Pozen</b> (P)	<b>John Bentivoglio</b> (P)	<b>Steve Harburg</b> (P)
<b>Michele Roberts</b> (P)	<b>Kathryn Baran</b> (A)	<b>Dave Schneider</b> (C)
<b>Nicole Grimm</b> (C)	<b>Karis Gong</b> (A)	<b>Robert Garcia</b> (A)
<b>Warren Allen</b> (A)		<b>Jose Morales</b> (A)
<b>Luke Meisner</b> (A)		

The  
Impact  
Project >



From left: Bread for the City Legal Clinic Director Vytas Vergeer, former Skadden partner Cliff Sloan and LivingSocial counsel Danny Andrews.

As Cisco General Counsel Mark Chandler told *The Washington Post*, “By creating structure, Skadden is making it easier for lawyers inside a company to participate in *pro bono* projects; it opens up a much more efficient avenue to do that.”

### A ‘Healthy Disruption’

In addition to providing legal services for underserved D.C. residents and facilitating *pro bono* work for in-house volunteers, the Impact Project provides Skadden’s lawyers with opportunities to collaborate with in-house legal teams, legal service providers and, of course, each other.

“This project breaks down barriers,” says Fred. “It’s rare for, say, an attorney with 30 years of tax experience to be trained by one with a few years’ experience in housing advocacy. That’s a healthy disruption of the status quo.”

Warren’s contributions to the domestic violence team typify this nontraditional dynamic. A former police officer, Warren often shares his personal experiences with more senior attorneys. “I’ve definitely learned from some of the experiences of my

old life,” Warren says. “For example, the cycle of domestic violence and its range of emotions mean that some of our clients may get cold feet while seeking a protective order, which is very different from what we see with traditional clients, who understand the pitfalls of not following their lawyer’s advice.”

Stephanie, who coordinates the administrative activities of the Impact Project, agrees. “It’s been a tremendous opportunity to interact with a broad range of attorneys and staff.”

The initiative already has earned praise from leaders of the Washington, D.C. legal community. At a February 2013 Center for American Progress panel discussion regarding access to justice and the future of *pro bono* legal services, Legal Services Corporation President Jim Sandman commended Skadden and its Impact Project partners for serving “low-income people in their own community.” He then urged other major law firms to follow Skadden’s lead, calling the project “a great model for others to try to emulate.” And at their annual Servant of Justice Awards in April 2013, the Legal Aid Society of the District of Columbia presented Warren, **Nicole Grimm** and **Luke Meisner**

with the organization’s Klepper Prize for Volunteer Excellence in recognition of their work on the Impact Project.

### Looking Ahead

The three Impact Project teams are seeking ways to involve an even broader range of attorneys on matters. The initiative, for example, recently branched into legal analysis and community outreach in order to address emerging policy issues. Several other Skadden offices are actively pursuing their own Impact Programs, including Palo Alto, Chicago and London.

Cliff says the increasing demand for *pro bono* service, coupled with the benefits of partnering with corporate counsel, will continue to create a need for the Impact Project. “We believe that the formal, structured program for delivering this service could be replicated for other Skadden offices and adjusted to meet the needs of their communities,” he says. The D.C. Bar also has expressed a strong interest in promoting the model to other area firms, Cliff adds. “Together, we believe that we will be able to make a difference for D.C. residents.”

## PRO BONO PARTNERS

### DOMESTIC VIOLENCE

Legal Aid Society of D.C.

### GUARDIANSHIP

Children’s Law Center

### HOUSING

Bread for the City

## CORPORATE PARTNERS

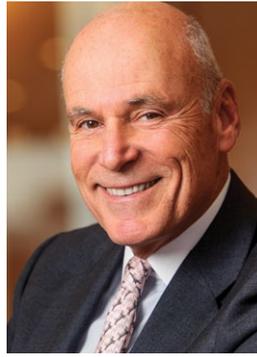
Cisco Systems

LivingSocial

Northrop Grumman



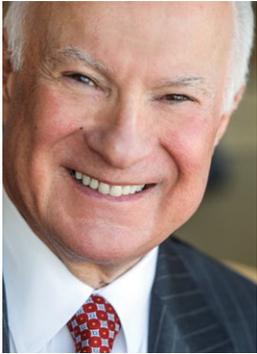
MARK CHEHI  
DEATH ROW  
APPEAL  
v



JERRY  
LAWTON  
REPARATIONS  
FOR  
HOLOCAUST  
SURVIVORS  
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EMILY LAM  
CHARITABLE  
FUNDRAISING  
AND  
OPERATIONS >



BEN NEEDELL  
NEW YORK  
RESTORATION  
PROJECT  
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RAOUL KENNEDY  
PERSONAL  
INJURY ACTION  
FOR A DEATH  
ROW INMATE  
<



# What I'm Working On

When a partner or counsel takes on a new matter, it often provides *pro bono* opportunities for other attorneys at the firm. Here, seven of our partners and counsel discuss their recent and ongoing *pro bono* work.

PIERRE  
SERVAN-  
SCHREIBER  
ASYLUM  
APPEALS  
>



GREG CRAIG  
HAITI RELIEF  
FUND  
>



# Mark Chehi

CORPORATE RESTRUCTURING PARTNER / WILMINGTON  
PROJECT / DEATH ROW APPEAL

Along with corporate restructuring associate **Jason Liberi** and litigation associate **Nicole DiSalvo**, I'm assisting the Innocence Project in its representation of Texas death row inmate Rodney Reed, who was convicted of rape and murder in 1998. We're seeking to overturn the conviction on several grounds, including actual innocence and violations of due process.

The body of the victim, Stacey Stites, was found near a country road in Bastrop County, in central Texas, in 1996. After a crime scene investigation that at best was inept and at worst misconduct, Mr. Reed was charged with the crime. At trial, the prosecution suppressed evidence, relied on junk science and presented profoundly misleading forensic evidence that led to Mr. Reed's conviction and death sentence.

The key evidence used to convict Mr. Reed was the fact that his semen was found inside Ms. Stites — proof, the state's experts contended, that he sexually assaulted her at or near the time of her death. These experts were not contradicted by Mr. Reed's unprepared and overwhelmed trial team. But at trial and throughout the subsequent proceedings, Mr. Reed presented an explanation for the semen — his ongoing, consensual sexual relationship with Ms. Stites. This was an explosive assertion, considering that Mr. Reed is African American and Ms. Stites was white and engaged to a white police officer, Jimmy Fennell. In post-conviction proceedings, Mr. Reed supported his explanation with scientific evidence showing that the prosecution's theory was not only completely unfounded but, in fact, contradicted by the evidence.

There is also ample evidence that Mr. Fennell — who failed two polygraphs regarding the murder — had both the opportunity and the motive to commit the crime. The state suppressed much of this evidence, including the statement of an eyewitness who saw Mr. Fennell and Ms. Stites in a loud confrontation soon before she was killed, a DNA report linking Mr. Fennell's close friend to a beer can found at the crime scene, and a statement by Mr. Fennell before the murder that, if he caught Ms. Stites cheating, he would strangle her with a belt — the manner in which she was in fact killed.

Mr. Reed filed a series of unsuccessful petitions and appeals before his attorney began working as a staff lawyer at the Innocence Project. The Innocence Project then reached out to the firm for support, and I volunteered to join the team.

Right now, we have a *habeas* petition pending before the U.S. District Court in Western Texas, and there's a motion to amend and alter a judgment that is not yet final. We are also assisting in a motion seeking additional DNA testing of evidence at the scene.





## Greg Craig

LITIGATION PARTNER / WASHINGTON, D.C.

PROJECT / HAITI RELIEF FUND

Not long after the earthquake struck Haiti in 2010, I received a call from a client who was looking for help setting up a \$20 million aid fund for Haiti, focusing on health care, education and housing. The firm agreed to take on the project *pro bono*.

Setting up and administering the Haiti Relief Fund has been a challenging, multifaceted project. Counsels **Don Salzman** and **Jorge Kamine** have done a superb job in helping to establish and administer the fund.

The client did not just hand us a stack of documents to review — we've been their partners at essentially every step of the process. We created the fund as an unincorporated nonprofit association under D.C. law and established its procedures for governance. We performed due diligence on the proposed projects, negotiated the individual grant agreements and helped to implement the programs that were selected.

The fund is distributing grants ranging in size from just under \$100,000 to more than \$5 million. In June 2013, we finalized a grant agreement with the United States Agency for International Development (USAID), which will help support the agency's construction of a sustainable community development in the commune of Cabaret. The development will include 148 single-family homes, a

vocational training center, and a commercial area with space for enclosed retail shops and open-market stalls.

Another recipient, Partners in Health, will develop mobile health clinics that will be able to provide basic health care services deep in the country's rural areas. The fund also has agreed to provide a grant to Hôpital Albert Schweitzer Haiti and is negotiating agreements with the Clinton Foundation, the University of Notre Dame and Xavier University of Louisiana.

In some ways, each individual grant has become its own separate *pro bono* project — not only do we research the potential recipients and then negotiate the agreements with them, we also help reshape their plans to give them a greater chance at success.

The entire team has found this to be a particularly rewarding project and an important cause. It would be hard to overstate the devastation in Haiti, which I visited with several of the team members in 2012. We are grateful for the opportunity to play a small role in the rebuilding efforts. By taking this matter on *pro bono*, we are ensuring that as much money as possible goes to those in need rather than to the costs of overhead and administration. It's the type of project that really benefits from Skadden's diverse strengths and experience.

# Raoul Kennedy

LITIGATION PARTNER / PALO ALTO

PROJECT / PERSONAL INJURY ACTION  
FOR A DEATH ROW INMATE

Right now I'm working on a plaintiff's personal injury case on behalf of a death row inmate who lost an eye when he was shot in the face by a tower gunner. Our client, Eddie Morgan, was in the special exercise yard for the condemned when he got into what was, all sides agree, at least a verbal altercation with another prisoner. The tower guard, who was about 30 feet away, was inexperienced and may not have been trained for that particular job. There's a disagreement over whether there was a warning, but there is no dispute that he was supposed to shoot at legs and feet. Instead he hit Eddie in the eye with a rubber bullet. The guard was, at the very least, a lousy shot.

Eddie was fitted for a new prosthetic eye, which runs about \$3,500. When I visited him at San Quentin, he popped it out to show me. Now the state is on the tab to buy him a new eye every seven years or so. With the average death row stay in California lasting about 35 years, that's a lot of eyes.

The case has its challenges — there are all kinds of immunities for prison guards and penal supervisors. But there's an exception for injunctive relief, and we're arguing that there wasn't adequate training and that they shouldn't have put a rookie into the tower without sufficient experience. Obviously, there were no lost wages, but there was pain and suffering. Any money we recover will go to Eddie's daughter or the family of his victim.

I got the case through the California Appellate Project, which lines up representation for death row prisoners. I've worked with them for years. Their executive director called me and said, "Have I got a case for you." He knew that, as an old insurance defense lawyer who has handled a lot of personal injury work, this was right up my alley — talking to the experts, sifting through medical records. I've also gotten a lot of help from litigation associate **Josh Templet**.

It's rare that you see a personal injury case filed on behalf of a death row inmate — as far as I know, this is a first-of-its-kind claim — but a telling mark of society is how it treats its worst people, not its best.



# Emily Lam

TAX PARTNER / PALO ALTO

PROJECT / CHARITABLE FUNDRAISING AND OPERATIONS

Most of my *pro bono* work involves charities. Sometimes it's technical tax advice on obtaining or maintaining Section 501(c)(3) charitable status, permitted activities or dealing with the IRS; just as often, it takes the form of practical advice on fundraising or efficient structuring of charitable operations.

Several of my recent projects have involved fiscal sponsorship arrangements. Partner **Kady Ashley**, former associate Jessica Rosenthal and I helped Earth Day Network negotiate and implement agreements to serve as the U.S. fiscal sponsor for the Yasuni-ITT Trust Fund. The fund is administered by the U.N. Development Programme's Multi-Donor Trust Fund to support the Ecuadorian government's commitment to refrain from exploiting the Ishpingo-Tambococha-Tiputini oil field within the Yasuni National Park. Ecuador agreed to ban drilling in the park, which is home to several indigenous tribes and is famed for its diverse flora and fauna, if the international community would make up for at least half of the billions of dollars in lost revenue. The matter came to us through D.C. counsel **Don Salzman**. The fiscal sponsorship arrangement essentially allowed Earth Day Network to help with fundraising in the U.S.

I'm also currently working on a wide range of *pro bono* matters on behalf of such nonprofits as EqualityMaine (which works for equal rights for LGBT people), the Coalition for Green Capital (which facilitates the financing of green energy projects), Ping Pong Productions (which develops cultural exchanges and facilitates creative collaborations among Chinese and international performing artists, scholars and audiences) and Next Step Network (which focuses on increasing nationwide access to affordable factory built housing).

All of this work, in a sense, dates back to my very first *pro bono* matter. About two weeks after I started at Skadden, I inherited an exemption application client — a Bulgarian dance troupe — from an associate who was leaving the firm to become an F.B.I. agent. The matter served as my introduction to the charitable giving area of law. After that, I helped many clients incorporate nonprofit organizations and apply for tax exemption. These were relatively small projects, covering a wide range of charitable activities, and they were a lot of fun: There was a lot of client contact, and I got to see from the inside how charities got up and running, how and why some of them took off and others foundered. These days, I'm usually called in to consult on complicated projects or when something unusual or unanticipated arises. But it all started with the Bulgarian dance troupe.

# Jerry Lawton

LITIGATION COUNSEL / NEW YORK

PROJECT / REPARATIONS FOR HOLOCAUST SURVIVORS

About five years ago, the L.A. nonprofit Bet Tzedek wanted to extend to New York its efforts to help Holocaust survivors apply for compensation from the German government. When **Ron Tabak** sent out an email about the program, I volunteered.

Germany has two compensation programs for survivors who worked in European ghettos during the war — one provides a one-time payment of €2,000, the other a monthly pension and “back payments” for unpaid earned pensions. The application process can be challenging — applicants must be able to document that they “voluntarily” worked in a recognized ghetto in a country occupied or incorporated by the Third Reich during a specified time frame and that they received some sort of compensation for their labor, even if it was merely a scrap of food. The applicants are now, of course, quite elderly — most were children living with their parents during the war — and the German government, understandably, is very careful in screening applications.

Skadden agreed to be the lead firm for the program in New York — since the beginning, I’ve helped coordinate the work of the four other participating New York firms. We run a monthly clinic at a community center in Borough Park, Brooklyn, and make house visits to those unable to attend. The attorney volunteers provide the help necessary to file applications, respond to questions from the German authorities and appeal adverse decisions. A large team of Skadden lawyers have participated in the program over the years, including **Stu Finkelstein, Rona Shamoon, Greg Litt, Alla Lefkowitz** and **Limor Robinson**, as well as legal assistant **Dan Morse**.

The German government set what many believed was an arbitrary deadline for the applications. I wrote to Chancellor Angela Merkel asking that the deadline be extended indefinitely or eliminated because it contradicted the very purpose of the benefits provided to Holocaust victims. Happily, Chancellor Merkel eliminated the deadline by executive order. I don’t know if my letter made the difference, but it certainly didn’t hurt.

It’s extremely satisfying work. These are deserving people, who in most cases subsist solely on Social Security benefits and are in desperate need of relief. So far, in total we have helped New York *pro bono* clients obtain more than \$100,000 in annual benefits. The pension benefits will continue for life.





# Ben Needell

REAL ESTATE PARTNER / NEW YORK

PROJECT / NEW YORK RESTORATION PROJECT

About 12 years ago, I got a phone call from the singer Bette Midler, who invited me out to lunch. She'd begun a grass-roots project to clean up city parks that was beginning to expand and wanted advice about fundraising and incorporation. I offered our help, and over the last decade, the New York Restoration Project, as her nonprofit came to be known, has made an extraordinary impact on open spaces throughout New York City.

When the city announced plans to sell more than 100 community gardens in 1999 to avoid budget shortfalls, NYRP raised enough money to ensure that the gardens would remain public property in perpetuity. The project also now owns and manages 52 other community gardens throughout the city. In 2007, it launched the MillionTreesNYC initiative, with the goal of planting 1 million new trees, and it's well on its way, with 650,000 and counting. Working with the Parks Department and various nonprofits, NYRP removed more than 130,000 bags of trash from the city's green spaces. The most ambitious project has been the transformation of an illegal dumping ground along the Harlem River into Swindler Cove Park, which is now home to a children's garden, the Cherry Tree Project and a community boathouse. The organization also runs a cafe in Fort Tyron Park called the New Leaf Restaurant and Bar.

The programs focus on the neighborhoods with the greatest need. As Bette says, "NYRP operates in forgotten places." For example, the MillionTrees initiative targets communities with fewer than average trees and higher than average rates of asthma among young people. NYRP has introduced kids from underserved neighborhoods to such outdoor activities as rowing and gardening.

Our work for NYRP mostly falls into two categories, deal work and litigation. Associate **Susan Brown** handles the deals, and partner **Joe Sacca** oversees the litigation. On the deal side, we set up the original 501(c)(3) as well as a land trust that raises money and manages the individual community gardens. We also raise a lot of money for individual projects and handle the deals for the individual funders. We set up the corporations that own the cafe and the boathouse. The litigation runs the gamut, from contracts to employment disputes to tort defense. Last year was a particularly busy year — we logged about \$1 million in *pro bono* hours. Since 2001, I've also served as the chairman of NYRP's board.

NYRP likes to say that no matter where you are in New York City, it's impossible to walk more than 10 minutes without seeing one of its projects. What other work can you say that about? It's a great feeling.

# Pierre Servan-Schreiber

M&A PARTNER / OFFICE HEAD / PARIS

PROJECT / ASYLUM APPEALS

Over the last few years, I've become very active in asylum work. I've successfully argued appeals for refugees from Afghanistan, Eritrea and Iran. There is no greater satisfaction than seeing my clients' faces light up when the verdict is announced and they are granted asylum. When you have the ability to change someone's life, that's a cause worth pursuing. All of the cases I've worked on come from *L'Association Pierre Claver*, a nonprofit dedicated to providing free legal aid to individuals forced from their countries of origin and, in particular, to asylum seekers in France. I'm one of the association's original members. I've appeared before the French Asylum Court of Appeals numerous times, winning every case except one (which is on appeal).

The most recent decision was remarkable. We represented two Afghan brothers, Massoud and Zabiullah, who had been threatened by Taliban fighters who believed their father had helped U.S. forces and killed him, his first wife and three of their children. A few days later, my clients' stepbrother returned to the village and killed those responsible for the attack. My clients then fled to avoid execution. Unfortunately, the stepbrother (whom we did not represent) feared the truth would harm his own case and fabricated a story to gain temporary asylum status. With his permission, I called him as a witness to corroborate my clients' account. It was risky — his testimony jeopardized his own status — but we recently learned that all three have been granted full refugee status.

The cases have given me the opportunity to work closely with a number of great associates, including **Olivier Boulon**, **Daniela Hildwein**, **Nadine Kari** and **Leon Del Forno**, and research assistant **Lise Le Borgne**.

In 2012, I also had the opportunity to represent the Hopi Indian tribe in its attempt to block the auction of about 70 Hopi religious masks. The case came to me only three days before the auction, from the nonprofit Survival International. Although we did not prevail, I think it was an important first step towards the prohibition of the sale of sacred indigenous artifacts. Once again, the thankfulness from the Hopi tribe members for our efforts was amazing. Counsel **Grégoire Bertrou** and associates **Quentin de Margerie** and **Leon Del Forno** were extremely helpful.



*In 1998, Skadden's New York office initiated two four-month associate externships, one with the Legal Aid Society's Community Law Office and the other with Lawyers Alliance for New York. The firm's Washington office offers similar six-month externships. Our externs represent individuals and organizations with limited resources in matters ranging from criminal appeals to political asylum cases to nonprofit incorporations.*

## Julie Lanz / Corporate Restructuring Legal Aid Society's Community Law Office (2012)

### WHAT LED YOU TO SEEK OUT AN EXTERNSHIP, AND HOW DID YOU END UP AT THE LEGAL AID SOCIETY?

I really enjoy *pro bono* work — the firm's commitment to *pro bono* is one of the things that drew me here. In 2011, a Skadden colleague went on an externship, and it sounded like a great opportunity to develop skills outside your usual practice area while helping others. So I spoke to [*pro bono* counsel] **Brenna DeVaney** and was fortunate to be chosen. I'm in a group where we do both corporate and litigation work, and I wanted to develop my litigation skills, so I asked to be considered for Legal Aid, which provides more litigation experience.

### WHAT WERE YOUR RESPONSIBILITIES?

From the first day, I had my own cases for which I was solely responsible. My caseload was a mix of housing law, benefits cases, and family, immigration and other miscellaneous legal issues. I met with approximately six new clients each week at an intake site. Often, my role was limited to giving advice on issues ranging from eviction notices to handling credit card debt. Others needed help with small tasks, like writing to a landlord or setting up a power of attorney. For a small portion of clients, I took on their matters and represented them in court. Those cases were particularly rewarding.

### HOW WAS YOUR EXPERIENCE?

Wonderful — even better than I had hoped. At first, the wide range of new legal issues was somewhat intimidating. But I worked with an incredible group of attorneys, paralegals and support staff, and they made the adjustment easy. I learned so much in such a short time — it's a great feeling. I also really enjoyed the opportunity to work one-on-one with clients. It's easy to forget how daunting legal issues can be for nonlawyers, and most of my clients were hungry for information and appreciative of my help. The most gratifying cases were the ones where I was able to help clients keep their homes.

### WHAT SKILLS DO YOU FEEL YOU HAVE BROUGHT BACK WITH YOU TO THE FIRM?

I think I'm definitely a better listener and communicator than I was before. I also think I'm a better negotiator. A lot of housing court matters settle in hallways outside the courtroom, and it's just you and another lawyer, so you have to know your case and be prepared to make quick decisions.

### WHAT ADVICE DO YOU HAVE FOR OTHER ASSOCIATES CONSIDERING EXTERNSHIPS?

Be involved in *pro bono* work at the firm. Figure out what kind of externship you would like to do and what skills you want to develop — different externships enable you to develop different skills. I'm extraordinarily grateful to Skadden, the Corporate Restructuring group — in particular, **Jay Goffman** and **Ken Ziman** — and The Legal Aid Society for affording me this opportunity, and I would encourage anyone with an interest in and commitment to *pro bono* to consider applying.



# In the Wake of Hurricane Sandy

## Skadden Provides Support for Storm Victims — Including the Nonprofit Legal Community

**W**hen Hurricane Sandy flooded the East Coast in October 2012, the New York Civil Liberties Union, which is headquartered on the 19th floor of a tower in lower Manhattan, was essentially untouched. However, the building's three levels of basements were flooded, knocking out the building's entire infrastructure, including its elevators, electricity, telephones and Internet service.

At first, NYCLU Executive Director Donna Lieberman was hopeful that her office would be able to reopen within a few days. "But then I saw the flooding along the FDR and in the Battery Tunnel," Donna recalls. "That's when I realized this was going to be a long-term problem."

Donna reached out to of counsel **Bob Sheehan** and special counsel **Ron Tabak** to see if Skadden might be able to assist. With their help, a day or two later she was looking at office spaces with Director of Global Technology **Peter Lesser**, Regional Technology Manager **Julian Dunford** and Property and Support Services Manager **Jeff Kunak**. Within just a few days after that, Skadden had helped set up a new, temporary headquarters for all 50 of NYCLU's employees on the 11th floor of our 1460 Broadway offices.

"It seemed like everybody at Skadden pitched in — conference services, the tech team, everyone in the mail room — they couldn't have been kinder or more professional," Donna says. "It felt like just minutes

after we asked about additional computers or phone lines or supplies, *presto*, they were there. We were fully up and running pretty much immediately."

Skadden soon became a central hub for the New York nonprofit community. During this critical political moment — Sandy struck just days before the 2012 presidential election, when many nonprofits were providing election-related services — many other legal services agencies reached out to Skadden for help.

"The day we moved in, the Asian American Legal Defense and Education Fund was setting up its 'election protection' operation, and LatinoJustice was setting up its operations, which were very important and jeopardized by the storm," Donna recalls. "When they left, NYLAG [New York Legal Assistance Group] moved in, followed by Legal Aid on the 6th floor, followed by part of the ACLU's national office."

The NYCLU stayed at Skadden for about six weeks, moving back downtown shortly before Christmas. Skadden's last temporary tenant, the National Association of Latino Elected and Appointed Officials, returned to its offices in March.

The NYCLU never had a Hurricane Sandy-recovery "Plan B," Donna says, but fortunately never needed one. "The firm really was our lifeline, and we are deeply grateful," she says.

**More than 50 Skadden attorneys** have assisted Hurricane Sandy victims and continue to participate in ongoing relief efforts. Our involvement has included staffing disaster-relief legal clinics, helping clients with Neighborhood Recovery Fund applications, providing advice to callers on the Legal Aid Society Disaster Relief Hotline, drafting materials for hurricane victims and *pro bono* attorneys, and training volunteer attorneys. Counsel **Brenna DeVaney**, who chairs the New York City Bar Association's Pro Bono and Legal Services Committee, helped strategize ways to involve the private bar community in the relief work.

In addition, as part of the Martin Luther King Jr. Day of Service, 75 Skadden volunteers (including Executive Partner **Eric Friedman**, pictured below) painted murals and made blankets at Sheepshead Bay High School, whose teachers and students were hit particularly hard by the hurricane.



Executive Partner Eric Friedman, his son Garrett, his wife Lori (right) and a City Year volunteer.



Photo by Hugh Williams

## | SPOTLIGHT L.A. |

In each issue, our *Pro Bono Spotlight* takes a look at the recent work of attorneys at a different Skadden office. In this edition, we review the efforts of our **Los Angeles** attorneys.

### Skadden Asylum Client Reunited With Her Daughter

In March 2013, members of the Skadden team that helped a young woman from El Salvador, Maria A., obtain asylum were on hand at Los Angeles International Airport to witness her reunion with her 7-year-old daughter, whom she had not seen in more than five years.

“When the judge granted Maria asylum, that ranked as one of the most gratifying moments of my legal career,” said litigation associate **Tom Haroldson**. “This was pretty emotional, as well.”

Maria had been abandoned by her parents as a newborn and raised by her father’s estranged wife. After enduring years of abuse by a male relative, Maria left El Salvador at age 17, leaving behind her 17-month-old daughter. Maria’s asylum case turned on a novel legal argument — that the abuse related to her status as a displaced Salvadoran girl who was either (1) in a domestic situation she was unable to leave or, alternatively, (2) treated as property by members of her surrogate family. The argument concerned a social group previously

unrecognized by immigration officials and represented a significant expansion of existing law.

The Los Angeles Immigration Court judge found Maria’s testimony credible, recognized her social group and its nexus to the abuse, and granted the application. The Skadden team shared its briefs with a clearinghouse for asylum work, so that they may serve as a model for asylum applications for other victims of abuse.

The Skadden team included Tom, banking associate **Devon Hein**, secretary **Cecilia Maldonado**, trial graphics specialist **Michael Proof** and former associate Peggy Dayton.

Tom said that 7-year-old Emely appeared undaunted by the highly emotional reunion. She flew unaccompanied from El Salvador, came out to where the crowd of family and friends had gathered, and hugged her mother, whom she had not seen since she was a toddler. She was soon playing with her two half-brothers and holding her baby half-sister.

Above: *Pro bono* client Maria A., reunited with her 7-year-old daughter, Emely, at Los Angeles International Airport.



## Los Angeles Attorneys Successfully Defend 'Vandenberg 15' Anti-Nuclear Weapons Activists

Early one morning in February 2012, several of the country's most prominent anti-war activists — including Daniel Ellsberg, the military analyst who released the Pentagon Papers; Cindy Sheehan, the activist famed for camping outside of President George W. Bush's Texas ranch; and Father Louis Vitale, a Franciscan priest who has been arrested at more than 200 protests — gathered at California's Vandenberg Air Force Base to oppose the test launch of a Minuteman III intercontinental ballistic missile.

**"The government thought this was a straightforward case about whether a physical line was crossed ... We saw the case as about far more than simple trespassing."**

The "Vandenberg 15," as the protesters would soon be known, were arrested and charged with trespassing, which is punishable by up to six months in prison. In July 2012, Father Vitale's case was referred to Skadden by the Criminal Justice Act Trial Attorney Panel of the U.S. District Court for the Central District of California, which provides legal services to individuals not represented by the federal public defender. A Skadden team agreed to represent Father Vitale and several of his co-defendants and developed an intensive, multipronged litigation strategy highlighting the holes in the government's case.

The Skadden team, which included litigation associate **Christina Lincoln**, former associate Robert Cummings and former counsel Matt Umhofer, took a

creative approach to discovery. "The government thought this was a straightforward case about whether a physical line was crossed, but we wanted to go deeper," says Christina. "We asked for documents about the history of the Air Force base and its boundaries, details about the base's policies on visitors and protesters, even materials about the missiles themselves. We saw the case as about far more than simple trespassing and designed our discovery requests to help us make that point."

The defense won a key discovery battle, securing an order from the court in September requiring the government to produce a document regarding preparations for the protest. Despite the order, the government refused to produce the unredacted report, citing military security concerns. Skadden then moved to dismiss on the basis of the government's violation of the order. Rather than complying with the order, in October 2012 — one day before the trial was scheduled to begin — the government moved to dismiss.

Robert Cummings said that the dismissal allowed the protesters to avoid jail time and continue their legal and peaceful opposition to nuclear weapons. "Our efforts helped restore and preserve the constitutional protections afforded to all criminal defendants, even those faced with misdemeanor trespass charges," Rob says.

Freed to continue his work, Father Vitale, now 80, brought his protest to Fort Benning, Georgia, where he was again arrested and charged with trespassing. This time — not represented by Skadden lawyers — he was sentenced to six months at the Lompoc Federal Correctional Institution in central California.

## L.A. Team Secures Summary Judgment for ACLU-SC in FOIA Lawsuit

Partner **Jason Russell**, counsel **Stacy Horth-Neubert** and associate **Jane Klinger** recently represented the ACLU of Southern California in a successful Freedom of Information Act action.

In June 2010, U.S. Immigration and Customs Enforcement (ICE) raided the Terra Universal factory in Southern California, unconstitutionally detaining and arresting 43 workers on suspicion of immigration violations. When the ACLU filed a FOIA request to gather information about the raid and worksite enforcement policies, the government refused to grant a fee waiver, which is essential for a nonprofit seeking to use FOIA. The ACLU filed suit against the U.S. Department of Homeland Security and ICE, alleging that they improperly denied the request. After the complaint was filed, the agencies reversed course, granting the waiver and producing documents in response to the FOIA request. In October 2012, the court granted the ACLU's motion for summary judgment as to ICE, finding the agency's efforts to search for the requested documents was inadequate and ordering it to redo its searches.

## L.A. Attorneys Recognized for Successful Defense of Planned Parenthood in \$600 million Lawsuit

A team of Los Angeles attorneys comprised of counsel **Ronda McKaig**, former counsel Matt Umhofer and former associate Jennifer LaGrange was among the winners of the 2013 California Lawyer Attorneys of the Year. The CLAY Awards recognize attorneys whose work has had a significant impact on the law, the legal profession, a particular industry or the public good. Ronda, Matt and Jennifer were recognized in the *pro bono* category for securing the complete dismissal of a False Claims Act action against Planned Parenthood seeking more than \$600 million in damages.

A portrait of Angela Gomes, a woman with long, wavy brown hair, smiling. She is wearing a dark blue blazer over a white top with a floral pattern. The background is a blurred office setting with a glass door and a metal railing.

Angela Gomes / Boston / M&A

## The *Pro Bono Report* speaks with one of the firm's most active *pro bono* attorneys

**F**or Boston associate **Angela Gomes**, there is much more to her legal career than her M&A work. Before she even began law school, Angela recognized the need for providing legal assistance to those in need.

As a referral paralegal at Boston's Volunteer Lawyers Project of the Boston Bar Association (VLP), both before and while attending Boston University School of Law, Angela helped place indigent clients with *pro bono* attorneys.

"I saw firsthand how difficult it can be to find enough attorneys to take on cases," Angela says.

That experience instilled in Angela the importance of *pro bono* work in her legal career. "Even though I knew it wouldn't be my full-time focus, I felt I had a responsibility to the Boston community to find a good balance and volunteer to handle cases regularly," she says.

Since joining Skadden in 2005, Angela has worked on more than 20 *pro bono* matters, including many involving family law and housing issues. She feels particularly drawn to cases involving guardianship for minors and has handled more than 15 guardianships. "For many of my clients, it's simply about helping them navigate the system," Angela says. "English is not their first language,

and most of them feel lost in the system and don't know where to start."

Angela also has had several opportunities to utilize her legal knowledge to assist nonprofit organizations with respect to general corporate matters, as well as in obtaining state and federal tax-exempt status. Most recently, along with former Boston and current London associate **Bobbie King** and New York counsel **R.D. Kohut**, Angela advised a Nantucket-based mentoring program in its separation from Big Brothers Big Sisters of Massachusetts Bay and formation of a new 501(c)(3) corporation. With Boston associate **Jennifer Kamocsay**, she is advising an organization that provides mental health services, which is seeking to convert from a for-profit entity to a nonprofit, 501(c)(3) corporation. Angela also is involved in a firmwide *pro bono* project, helping to obtain U visas for low-wage, immigrant employees at a Mississippi poultry processing plant who allegedly endured widespread sexual harassment, sexual assault and extortion by their employer.

"Even with a busy practice, I try to lend my time whenever I can," Angela says. "I've discovered that providing someone with even a few hours of legal assistance, while a small sacrifice for me, can make a huge difference in his or her life."

## NEWS & AWARDS



Members of Skadden's NYSBA "President's Pro Bono Service Award" winning team, from left: Benjamin Brandow, Amy Hundert, Eric Friedman, Bob Sheehan, Brenna DeVaney, Steve Kolleny, Ron Tabak

### New York State Bar Association Honors Skadden

In May 2013, the New York State Bar Association honored Skadden with its President's Pro Bono Service Award. In selecting Skadden as the winner of the "Large Firm" category, the association considered the breadth and scope of our *pro bono* involvement and the active and successful promotion of *pro bono* service by firm attorneys. Presented in Albany, N.Y., the award recognized "those who have made an outstanding contribution ensuring low-income New Yorkers have equal access to justice." The firm was jointly nominated by Lawyers Alliance for New York, The Legal Aid Society, New York Lawyers for the Public Interest and Legal Service NYC.

### Skadden Honored for Work on Behalf of New York Nonprofit Groups

In November 2012, Lawyers Alliance for New York presented Skadden with a 2012 Cornerstone Award for our provision of outstanding *pro bono* legal services to nonprofit groups that are improving the quality of life for low-income New Yorkers. Lawyers Alliance Executive Director Sean Delany said that Skadden is the first law firm to receive this award twice and that, year in and year out, Skadden leads all other firms by a wide margin in taking the most of its referrals. **Bob Sheehan**

accepted the award on the firm's behalf. Over the past 30 years, Skadden attorneys have worked on more than 400 *pro bono* matters for approximately 350 nonprofit clients through Lawyers Alliance.

### Skadden Receives Legal Aid Society Award

In November 2012, Skadden received The Legal Aid Society's *Pro Bono Publico* and Public Service Law Firm Award. Presented by New York State Chief Judge Jonathan Lippman and accepted on the firm's behalf by **Bob Sheehan**, the award recognized our "exceptional" *pro bono* commitment to the Legal Aid Society and the low-income New Yorkers it serves.

### Skadden Attorneys Negotiate Contract for 'Defending Gideon'

New York counsel **Elaine Ziff** and Washington, D.C. counsel **Nancy Rubin** assisted The Constitution Project (TCP) in negotiating the production contract for "Defending Gideon," a documentary commemorating the 50th anniversary of *Gideon v. Wainwright*, the U.S. Supreme Court decision that held that the Constitution requires the government to appoint a lawyer for criminal defendants who cannot otherwise afford one. The film illustrates the many significant problems that persist today with inadequately funded criminal defense for indigent people. Elaine and Nancy

negotiated the contract at the request of Washington, D.C. partner **Armando Gomez**, who is a member of TCP's board.

### 12-Year-Old Default Judgment Set Aside and Case Dismissed

In December 2012, Los Angeles associate **Christina Lincoln** and former associate Robert Cummings successfully represented Mr. S in challenging a 12-year-old default judgment that had prevented him from selling his home. In the 1990s, Mr. S testified against a defendant who was convicted and sentenced to 97 months in prison. While incarcerated, the defendant retaliated by filing a frivolous federal action against Mr. S. The defendant-turned-civil plaintiff obtained a default judgment based on a fraudulent proof of service and placed a lien on Mr. S's home. The Skadden team convinced the court to set aside the default, allowing Mr. S to get the lien removed and close the sale. Two months later, the court dismissed the civil complaint in its entirety. Partner **Jack DiCanio**, counsel **Ronda McKaig** and litigation assistant **Jon Powell** provided invaluable support.

### Hong Kong Office, Attorneys Receive Pro Bono Awards

Skadden's Hong Kong office received "The Law Society of Hong Kong *Pro Bono* Law Firm Silver Award" in December 2012. The award honors firms for devoting an average of at least 10 hours per legal and nonlegal staff member to *pro bono* legal services over the past year — totals Skadden substantially surpassed. Eight Skadden attorneys also received awards for their individual commitments to *pro bono* and community work. Associates **Richard Hawkins**, **Kam Nijar** and **Andrew Tam** and trainee solicitor **Yin Lin Ma** received "Gold Awards" for contributing more than 100 hours of *pro bono* service. Associates **Vincent Sze** and **Sheena Winter** received "Silver Awards" and Hong Kong office head **Alan Schiffman** and associate **Wilfred Ho** received "Bronze Awards." The Hong Kong office and the same eight attorneys also received awards as part of the Hong Kong Home Affairs Bureau's Recognition Scheme for Provision of *Pro Bono* Legal Services at a December 2012 ceremony.

### Father Secures Second Return of Children Illegally Removed to US

For the second time in just over two years, Houston counsel **Celso Gonzalez-Falla** has helped *pro bono* client Ruben M. file a successful action for the return of his three children to Mexico under the International Child Abduction Remedies Act. In 2010, a U.S. federal judge found that the children's mother, Diana F., had moved them to Houston without Ruben's consent and in breach of his custody rights, and ordered the children returned to Mexico. In 2011, Diana again brought the children to the U.S. against Ruben's wishes. Celso filed a second abduction case, but then learned that Diana had returned to Mexico with the children. The case seemed over, but in

November 2012 the court notified Celso that Diana had registered the children for school in Texas. Celso reopened the case, and after two hearings, the court ordered the children's return to Mexico with Ruben.

### State Will Not Seek Death Penalty for Fred Spicer

The state of Mississippi will not seek the reimposition of the death penalty in the case of Fred Spicer, an inmate represented by a team from Skadden's Chicago office. The George County district attorney's August 2012 decision not to appeal a state judge's decision to set aside the death sentence marked the culmination of six years of efforts by Skadden attorneys to save Spicer's life. In September 2012, the

court sentenced Mr. Spicer to life in prison without parole. Counsel **Amy Van Gelder** and associate **David Pehlke** led the trial team.

### Chicago's Sacred Heart Schools Secures Dismissal

Skadden secured a significant victory in November 2012 for Sacred Heart Schools, a Catholic elementary school located on Chicago's North Shore, when a Circuit Court of Cook County judge dismissed Master Hand Contractors' case against the school. Filed in 2010, the contract dispute related to construction work on a building owned by the school. The plaintiff claimed approximately \$378,000 in damages plus substantial interest and costs. Chicago

## UJA-Federation Secures Dismissal of Multimillion-Dollar Claim



Houston office head and litigation practice leader **Charles Schwartz** and associate **Dan Bolia** have successfully defended the United Jewish Appeal-Federation of New York before against a multimillion-dollar claim under the Alien Tort Statute (ATS) and the Torture Victim Protection Act (TVPA).

The plaintiff alleged that the Israeli government forced him to see his children in "prison-like" conditions. He sought to hold the UJA-Federation liable — specifically, for aiding and abetting torture and crimes against humanity — because of

its donations to certain Israeli charities and its lobbying of the Israeli government regarding family law issues. Although the alleged connections between the UJA-Federation and the alleged mistreatment were implausible, the complaint had been carefully crafted to raise cutting-edge issues of international law that have recently come before the U.S. Supreme Court and threatened to set dangerous precedent regarding the liability of nonprofits that operate in foreign countries.

Charles and Dan moved to dismiss the complaint, arguing that the UJA-Federation was not subject to personal jurisdiction in Texas, that the court lacked subject-matter jurisdiction under the ATS and that the plaintiff had failed to state a plausible claim under the TVPA. In August, U.S. District Court for the Southern District of Texas Judge David Hittner granted the motion to dismiss in an opinion adopting all of the organization's arguments. The judge also denied the plaintiff leave to file an amended complaint, holding that the proposed amendment could not survive a motion to dismiss.

Houston litigation associate **Pamela Brantley** provided invaluable assistance with the case.

"We were fortunate to represent a great client on a case that also happened to involve really interesting legal issues," Charles says.

partner **Eric Gorman** and associates **Su Ji Lee** and **Shauna Prewitt** persuaded the judge to dismiss the case with prejudice as a discovery sanction for the plaintiff's repeated violations of the court's orders to produce electronic discovery materials.

### New York Attorneys Honored for Pro Bono Work

In October 2012, 15 Skadden attorneys were recognized for their dedicated service in the New York State Courts Access to Justice Program's NYC Family Court Volunteer Attorney Program, including: **Brenna DeVaney**, **Nizan Geslevich-Packin**, **Tom Griffin**, **Paul Hecht**, **Claire James**, **Danielle Li**, **Anthony Lupinacci**, **James Mayne**, and **Erin Simmons**. The attorneys assisted *pro se* litigants in cases involving issues such as child support, paternity, custody, guardianship, visitation and orders of protection.

### Global Poverty Project Hosts Concert on Central Park's Great Lawn

A Skadden team led by retired partner **Randall Doud** helped Global Poverty Project, a nonprofit that works to eradicate extreme poverty, host the Global Citizen Festival on Central Park's Great Lawn. More than 60,000 people attended the September 2012 charitable event, which featured musical performances by Foo Fighters, The Black Keys and Neil Young with Crazy Horse, and appearances by various activist and celebrity speakers advocating for global efforts to combat poverty. The Global Poverty Project partnered with production company Goldenvoice and other corporate sponsors and nongovernmental organizations, including Rotary International, Earth Institute, U.S. Fund for Unicef, Half the Sky and World Vision. The Skadden team also included partners **Bruce Goldner** and **Stuart Levi**, counsel **Shana Elberg**, and associates **Dmitry Ivanov** and **David Pawlik**.

### Skadden Attorneys Secure Unemployment Benefits for Pro Bono Clients

Skadden attorneys recently have secured several victories for *pro bono* clients seeking unemployment insurance benefits. In August 2012, New York associate **Kavin Thadani** and former associate Jonathan Sherwin obtained a ruling sustaining unemployment insurance benefits for Ms. A, an employee at a home for mentally challenged individuals. In March 2013, New York of counsel **Bob Sheehan** and associate **Rachel Blitzler** obtained a ruling awarding unemployment insurance benefits to Ms. R, a former employee at a housing facility for homeless families, overturning a prior Department of Labor determination that Ms. R was fired for misconduct and therefore ineligible to receive benefits.

### European Court of Human Rights Issues Judgment in Golovan v. Ukraine

The European Court of Human Rights has ruled in favor of the applicants in *Golovan v. Ukraine*, in which a Paris-based Skadden team assisted the International Association of Lawyers (UIA) in intervening as a third party. The team prepared submissions in support of Igor Volodymyrovych Golovan, a Ukrainian lawyer whose offices had been subject to a search during which authorities seized privileged materials. The UIA provided an overview of the court's principles regarding searches in lawyers' offices and contended that the search did not abide by those principles. The court agreed, finding that, *inter alia*, the state's actions were not lawful under the Convention for the Protection of Human Rights and Fundamental Freedoms. The team included of counsel **Philippe Derouin**, with assistance from former librarian Sabrina Ferroudj.

## Wilmington Attorneys Secure Series of Landlord-Tenant Victories

In 2012, four Wilmington associates — **Chris Foulds**, **Cliff Gardner**, **Dan Ciarrocki** and **Jessica Raatz** — secured landlord-tenant victories for eight *pro bono* clients. The cases involved a wide range of issues and, in one case, had statewide ramifications.

Chris and Cliff sought to vacate a summary eviction decision that had resulted in the revocation of a government housing voucher and rendered an indigent family homeless. After the trial court denied their motion, they secured a reversal from the appellate court, establishing a precedent that effectively banned self-metering of utilities by landlords statewide. The family's voucher has been restored, and they have obtained new housing. The duo also secured significant settlements in two related cases and obtained relief in a parallel administrative proceeding.

Chris and Cliff also teamed up to successfully oppose an insurance company's subrogation claim for more than \$100,000 against a single mother whose apartment and possessions were destroyed by a Christmas Eve fire. In addition, the duo obtained the dismissal of a landlord's claims against a mother who terminated her lease after a roommate's behavior endangered the safety of her child.

Chris and Jessica obtained the complete dismissal of all claims by a trailer park manager against an indigent resident. To avoid a potential counterclaim, the manager also agreed to pay the indigent client approximately \$4,000 and modify her lease. In another matter, Chris worked with Dan on the successful defense of a client against a landlord's claims of unpaid rent and for summary possession. The client had withheld her rent because of unsafe and unsanitary conditions at the property, and the landlord agreed to provide the client with adequate housing for several months at no charge.

Chris also secured the complete dismissal of all claims against an indigent family that allegedly over-stayed their lease for two weeks. The family had been assessed damages of more than \$10,000 at the trial court level while being represented by an attorney not affiliated with the firm.

## The ELEANOR NETWORK

AT  
CFW

### Skadden Helps Chicago Nonprofit Form Strategic Alliance

When the opportunity arose last year for Skadden's Chicago office to help combine two local women's charities, Chicago corporate partner **Kim deBeers** says the response from attorneys who were eager to participate was "overwhelming."

The Skadden team spent nearly 350 hours combined over the next few months forming a strategic alliance between the Eleanor Foundation, a grant-making fund focused on helping female-headed households achieve economic self-sufficiency, and Chicago Foundation for Women (CFW), a nonprofit that raises money to fund organizations that assist women and girls.

Faced with fundraising and other challenges, the Eleanor Foundation's board of directors decided to seek to combine the charity and transfer its substantial assets to CFW. The alliance established the Eleanor Network at The Chicago Foundation for Women, ensuring that the Eleanor Foundation's mission — to help low-income single working women gain the opportunities they need to enter the middle class — will survive long into the future.

"I thought it was really meaningful to help the Eleanor Foundation find a way to carry on its mission by combining with another organization and expanding that organization's reach," Kim said. "The population the foundation serves is growing and in desperate need of assistance."

Kim and the team hammered out the technical details of the combination for the Eleanor Foundation, including planning for the dissolution of the existing Eleanor Foundation, distributing its assets and providing for liabilities, and designating spots for its representatives on CFW's board and committees.

The team was led by associates **Anna Meresidis** and **Sarah Ralph**, with assistance from counsel **Gretchen Wolf** and associates **Sarah Fisher**, **Youngmee Ko** and **Sara Luck**. "It was really great to see a lot of women help a women-focused cause," Kim says.

| NEWS & AWARDS *continued* |

### Tenancy Reinstated for Single Mother of Four

In connection with their involvement in the legal clinic at the Dream Charter School, New York associate **Grace Fu** and former associate **JQ Affleck** successfully represented Ms. O, a single mother of four, against the New York City Housing Authority (NYCHA) in New York Supreme Court. NYCHA brought a termination of tenancy proceeding against Ms. O based on chronic rent delinquency. After repeatedly postponing Ms. O's administrative hearing, NYCHA entered a default judgment against her after she failed to attend the final scheduled hearing and subsequently denied her request to open the default. **Grace** and **JQ** brought an action on behalf of Ms. O to review NYCHA's administrative determinations, arguing, among other things, that it failed to conduct the termination interview required under its management manual. On June 20, 2012, NYCHA approved a stipulation of settlement and discontinuance, vacating its prior decision and reinstating Ms. O's tenancy.

### London and Paris Attorneys Advise Nonprofits Regarding Incorporation

In 2012, attorneys from Skadden's London and Paris offices helped incorporate as a U.K. charity **Internews Europe**, a French nonprofit organization dedicated to building media capacity worldwide through improved access to information. **Internews Europe's** global programs respond to communities' and individuals' information needs relating to human rights, democracy, conflict resolution, humanitarian emergencies and the environment. The team included **Chris Mallon**, **Anna Heimbichner**, **Stéphane Héliot**, **Alex Rogan** and **Stephanie Stein**. Skadden continues to advise the nonprofit regarding other corporate matters.

A team from the London office also advised **Food for Good Limited**, a U.K. charity dedicated to reducing food waste and improving conditions for the homeless by providing food to local charities. **Skadden** provided advice on English company and charity law and drafted the supply-of-goods agreements that govern the relationship between **Food for Good** and the restaurants that agreed to participate in an initial two-week trial project. The team included **Danny Tricot**, **Ngu Atanga** and **Estela Shllaku**.

### National Urban League Successfully Challenges DOL Grant Process

In 2012, Skadden represented the **National Urban League (NUL)** in the last year of its challenge to the evaluation and selection process for **Department of Labor Employment and Training Administration (DOL)** youthful offender training grants. When NUL failed to receive certain grant awards for which it clearly was a top competitor, it decided to challenge DOL's evaluation and selection process. Skadden's representation resulted in NUL's receiving a \$10 million grant and the DOL agreeing to make fundamental reforms in its grant process. These reforms will help to ensure a fair grant selection process not only for NUL but for all entities that apply for DOL grants. The principal Skadden lawyers were Washington, D.C. associates **Elizabeth Billhimer** and **Kate Lesker** and counsel **Len Rawicz**, who were assisted by partner **Mitch Ettinger**, former partner **Toni Cook Bush** and legal assistant **Cathy Lu**.

### Court Reverses Decision Declaring Marriage 'Null and Void'

New York partner **Steve Napolitano**, associate **Jeremy Hollander** and former associate **Joshua Seifert** suc-

cessfully represented a New York woman, Victoria Oswald, in her appeal of a decision declaring her marriage by a Universal Life Church (ULC) minister null and void as a matter of law. The trial court, relying on two prior cases, had ruled that although the Oswalds had been married for more than five years, the marriage was void because, among other reasons, the ULC is not a “church.” The ruling left Victoria destitute and unable to pursue a divorce or enforce the couple’s prenuptial agreement. On appeal, the team argued that the court was not constrained by prior precedent to reject the legitimacy of the marriage and that issues of fact exist regarding whether marriages officiated by ULC ministers should be recognized under New York law. The April 2013 ruling is potentially significant because of the large number of couples, including same-sex couples, being married in ULC ceremonies in New York. Of counsel **Judge Judith Kaye** advised the team throughout the process.

#### **Firm Receives ‘Social Justice Award’**

Skadden was one of 20 firms to receive the 2013 Social Justice Award at the Urban Justice Center’s 9th Annual Community Justice Awards Luncheon in New York in April 2013. The UJC advocates for the city’s most vulnerable residents through direct legal service, community education and political organizing.

#### **Firm Receives ‘Champion of Democracy’ Award for Election Protection**

In March 2013, Skadden was one of eight firms to receive the Common Cause New York’s Champion of Democracy Award for Election Protection at the organization’s annual awards dinner. Each firm was honored for its efforts to protect the right to vote. Our efforts included extensive volunteer work by many of our lawyers, legal assistants and administrative staff, plus our hosting of the national Spanish-language hotline and the Asian American Legal Defense Fund’s post-election day interviews after Hurricane Sandy.

#### **Attorneys Honored by Sanctuary for Families**

In January 2013, New York special counsel **Steve Kolleeny**, associates **Tanisha Creed** and **Kemi Fashakin**, and former associate Benjamin Edwards received the 2012 Sanctuary for Families Award for Excellence in *Pro Bono* Advocacy at its 10th annual benefit. The event celebrated the contributions of lawyers who have provided *pro bono* assistance to survivors of domestic violence and sex trafficking through the New York-based nonprofit.

#### **Eben Colby Receives Women’s Bar Foundation Award**

Boston litigation partner **Eben Colby** received the Women’s Bar Foundation 2013 Pro Bono award, which is presented to one individual and one firm each year. The Foundation honored Eben in May for his “dedicated and steadfast assistance in abuse prevention cases for clients who are in crisis due to domestic violence.” The Women’s Bar Foundation works to advance social and economic justice by providing low-income women with access to legal representation and a means to be heard.

#### **Skadden Teams With Viacom for Pro Bono Clinic**

On June 11, **Eric Friedman**, **Bruce Goldner** and a team that also included additional Skadden partners, counsel, associates and summer associates joined with 18 lawyers from Viacom to provide a half-day *pro bono* clinic for people referred by Volunteer Lawyers for the Arts. After a brief training session, participants split into teams, each of which included lawyers from both Skadden and Viacom, who among them had varying experience levels in different practice areas. Each session with the one-time clients lasted about 45 minutes. The attorneys provided advice on a wide range of issues, including contracts, tax and IP. The clients included, among many others, a retiring ballet dancer who is starting an employment agency, a book author and a

young documentary film maker. In addition to meeting the legal needs of many deserving artists, the clinic enabled lawyers from Skadden and Viacom to meet and work together in a team-building context. The clinic was arranged by litigation counsel **Heidi Goldstein** and Andra Shapiro, executive vice president and general counsel of the Nickelodeon Group. It was organized on the Skadden side by the *pro bono* team of **Ron Tabak**, **Brenna DeVaney**, **Ben Brandow** and **Eriko Nagao**, and on the Viacom side by Sarah Harp, vice president and senior counsel, and Heidi Naunton, vice president and senior counsel.

#### **Skadden Helps Auto Industry Worker Secure US Supreme Court Victory**

In June 2013, the firm helped secure a U.S. Supreme Court victory for Dawn Gerstenschlager, an auto industry worker who was laid off from her job due to overseas competition. A Michigan workforce development agency then advised her incorrectly that federal benefits were unavailable. When she later learned of her eligibility for trade readjustment allowance benefits, the state unemployment agency rejected her application as untimely. Although the Michigan courts awarded the benefits, the state sought certiorari, claiming that the Michigan appellate decision conflicted with federal law. Skadden filed an opposing brief on Gerstenschlager’s behalf. The Supreme Court then asked the solicitor general to opine as to whether the petition should be granted. Skadden met with the solicitor general, who — consistent with our position — recommended that Michigan’s cert petition be denied. The Court agreed, denying the petition on June 4. The outcome allows Gerstenschlager to retain her benefits and keeps in place an appellate decision favorable to other laid-off workers. The team included, in Washington, D.C., partner Cliff Sloan, counsels **David Foster** and **Geoff Wyatt**, and associate **Paul Kerlin**; and, in Boston, associate **Moshe Spinowitz**.

## SKADDEN FELLOWSHIP FOUNDATION CELEBRATES

# 25 YEARS

In 1988, Skadden's partners commemorated the firm's 40th anniversary by establishing what would become perhaps the most influential *pro bono* legal program in the country: The Skadden Fellowship Foundation. Now in its 25th year, the Foundation has funded 677 two-year Fellowships at legal and advocacy organizations throughout the country.

Although the Foundation remains independent from the firm, over the years

our attorneys have worked closely on *pro bono* matters with countless current and former Fellows, many of whom joined (or even launched) their nonprofits during their Fellowships. Suzanne McKechnie Klahr ('99), for example, founded the college-prep program BUILD, which teaches the basics of entrepreneurship to youth in several under-resourced communities across the country. Since the organization's first days, Skadden attorneys have represented the nonprofit and

many of its young participants. "Not only did the Foundation help me launch BUILD," Suzanne says, "but the firm's ongoing *pro bono* contributions have been critical to our development and the success of many of our graduates."



The Skadden Fellowship Foundation is as integral to the firm culture as our *pro bono* work. In each issue of the *Pro Bono Report*, we highlight a current or former Skadden Fellow.

**SKADDEN FELLOW:**  
**Jason Szanyi**

**FELLOWSHIP:**  
**CCLP and the District of Columbia  
Public Defender Service's Juvenile  
Services Program (2009-11)**

As a staff attorney for CCLP, Jason advocates for safer and more humane conditions for youth in juvenile facilities. Jason and his colleagues also advocate for policies and practices that reduce racial and ethnic disparities within the juvenile justice system and that reduce jurisdictions' reliance on incarceration of children.

Based in Washington, D.C., Jason's current projects include creating a more equitable and effective juvenile justice system in Connecticut, where arrests of students in Hartford's public schools have fallen by almost 80 percent since CCLP began work there. He also is collaborating with New York City officials to implement policies to protect youth from sexual misconduct in the city's juvenile justice facilities. A recent nationwide study revealed that more than one in 10 youth report being sexually abused while incarcerated.

Jason became interested in juvenile justice issues as a student at Harvard Law School, when he worked with the government of India on reforms to its juvenile justice system. After witnessing nightmarish conditions of confinement and other systemic problems, Jason looked to the U.S. for solutions. He quickly discovered that the American juvenile justice system also was in urgent need of reform. Since that formative experience, Jason has worked to improve our approach to youth who get in trouble with the law. One of the keys, Jason says, is keeping children out of the justice system altogether. "My vision is a world where we give all kids, including those who make mistakes, the opportunity to achieve their full potential."